

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DARRYL DAVIS, et al.	:	
	:	
Plaintiffs,	:	Civ. No. 15-6943 (KM) (JBC)
	:	
v.	:	
	:	
SHERRY YATES, et al.,	:	MEMORANDUM AND ORDER
	:	
Defendants.	:	
	:	

Plaintiffs, Darryl Davis and Steven Grohs, are civilly detained at the Special Treatment Unit in Avenel, New Jersey. They are proceeding with a civil complaint that they initially filed in the Superior Court of New Jersey, Law Division, Middlesex County. In September, 2015, this action was removed from state court to this Court.

On October 1, 2015, Plaintiffs filed an opposition to the removal. (*See* Dkt. No. 3) Defendants did not file a response to plaintiff's opposition to the removal. On October 13, 2015, this Court granted defendants request for an extension of time to file an answer to the complaint. (*See* Dkt. No. 6) Plaintiffs have filed a motion for reconsideration of that order granting defendants an extension of time to file an answer (*See* Dkt. No. 10) On November 13, 2015, defendants filed a motion to dismiss the complaint. (*See* Dkt. No. 9)

As previously stated, defendants have not filed a response to plaintiffs opposition to the removal of their case to this Court. Therefore, prior to ruling on defendants' motion to dismiss and plaintiffs' motion for reconsideration, this Court will order defendants to file a response to plaintiffs' opposition to the removal. Accordingly, this Court will administratively terminate the motion to dismiss and motion for reconsideration subject to reinstatement if this Court ultimately decides that removal was proper.

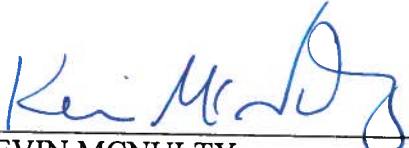
Therefore, IT IS this 10th day of June, 2016,

ORDERED that defendants shall file a response to plaintiffs' opposition to the removal of this case from state court within twenty-one (21) days of the date of this Order; and it is further

ORDERED that plaintiffs may file a reply to plaintiffs' response within fourteen (14) days after defendants file their response; and it is further

ORDERED that the Clerk shall administratively terminate defendants' motion to dismiss (Dkt. No. 9) and plaintiffs' motion for reconsideration (Dkt. No. 10) subject to this Court's reinstating those two motions depending if removal is found proper; and it is further

ORDERED that the Clerk shall serve this Order on plaintiffs by regular U.S. mail.



KEVIN MCNULTY
United States District Judge